



Republic of Serbia  
**COMMISSION FOR  
PROTECTION OF  
COMPETITION**

25/IV Savska Street, Belgrade  
Number: 4/0-01-155/2023-92  
Reference: 4/0-01-120/2022,  
4/0-01-644/2021,  
Date: December 29, 2023

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**Anonymized version**

Council of the Commission for Protection of Competition, pursuant to Article 22 paragraph 2, Article 57 paragraph 1 and Article 68 paragraph 1 item 2) of the Law on Protection of Competition (“Official Gazette of the Republic of Serbia”, number 51/09 and 95/2013), and Articles 3 and 4 of the Decree on Criteria for Determining the Amount Paid on the basis of Competition Protection Measures and Process Penalties, Payment Manner and Deadline and Conditions for Determination of Such Measures (“Official Gazette of the Republic of Serbia” no. 50/2010), in deciding in procedure launched ex officio against the following companies: ATLANTIC GRUPA DIONIČKO DRUŠTVO ZA UNUTARNJU I VANJSKU TRGOVINU, with registered seat at: Miramarska 23, Zagreb, Republic of Croatia, represented by Emil Tedeschi, president of the board of directors of the company and its affiliates in the Republic of Serbia, ATLANTIC BRANDS DRUŠTVO S OGRANIČENOM ODGOVORNOŠĆU ZA PROMET I USLUGE BEOGRAD (VOŽDOVAC), with registered seat at: Bulevar Peka Dapčevića 29, Belgrade-Voždovac, represented by the Director Dragomir Kostić and Atlantic Grand d.o.o. with registered seat at: Surčinska 6a, Belgrade-Novi Beograd, represented by Mate Štetić, with common holder of power of attorney, Lawyer Milica Subotić from Belgrade, Terazije 31, apartment number 8, 2nd floor, and STRAUSS ADRIATIC DOO ŠIMANOVCI, with registered seat at: Miloša Obilića 41, Šimanovci, represented by the Director, Siniša Daničić, with holders of power of attorney Lawyers Zoran Šoljaga, Srđan Petronijević and partners from the Law Office Moravčević, Vojnović and Partners, Bulevar Vojvode Bojovića 6-8, Belgrade, for investigating competition infringement from Article 10 paragraph 2 item 1) of the Law on Protection of Competition, at the 146th meeting held on December 29, 2023 adopts the following

## **DECISION**

**I IT HAS BEEN DETERMINED** that companies ATLANTIC GRUPA DIONIČKO DRUŠTVO ZA UNUTARNJU I VANJSKU TRGOVINU, registration number 080245039, with registered seat at: Miramarska 23, Zagreb, Republic of Croatia and its affiliates in the Republic of Serbia, ATLANTIC BRANDS DRUŠTVO S OGRANIČENOM ODGOVORNOŠĆU ZA PROMET I USLUGE BEOGRAD (VOŽDOVAC), registration number 20699825, with registered seat at: Bulevar Peka Dapčevića 29, Belgrade-Voždovac, and Atlantic Grand d.o.o. registration number 17173006 with registered seat at: Surčinska 6a, Belgrade-Novi Beograd, and STRAUSS ADRIATIC DOO ŠIMANOVCI, registration number 06299997, with registered seat at: Miloša Obilića 41, Šimanovci, agreed and aligned business

strategy through direct or indirect exchange of information related to price policy and future wholesale prices of grinded coffee in the Republic of Serbia, thus concluding a restrictive agreement in the sense of Article 10 paragraph 2 item 1) of the Law on Protection of Competition, hence significantly limiting and harming competition.

**II IT IS HEREBY ESTABLISHED** that the restrictive agreement referred to in paragraph I of the wording of this decision shall be null and void.

**III COMPETITION PROTECTION MEASURE SHALL BE IMPOSED** for each market participant from item I of the wording of this decision, individually in the form of payment obligation of the monetary amount, namely:

- ATLANTIC GRUPA DIONIČKO DRUŠTVO ZA UNUTARNJU I VANJSKU TRGOVINU, with registered seat at: Miramarska 23, Zagreb, Republic of Croatia, ATLANTIC BRANDS DRUŠTVO S OGRANIČENOM ODGOVORNOŠĆU ZA PROMET I USLUGE BEOGRAD (VOŽDOVAC), with registered seat at: Bulevar Peka Dapčevića 29, Belgrade-Voždovac, and Atlantic Grand d.o.o. with registered seat at: Surčinska 6a, Belgrade-Novı Beograd, that are, according to Article 5 of the Law on Protection of Competition, considered a single market participant, in the amount of RSD 190.329.956,00 (one hundred ninety million three hundred twenty-nine thousand and nine hundred fifty-six),
- STRAUSS ADRIATIC DOO ŠIMANOVCI with registered seat at: Miloša Obilića 41, Šimanovci, in the amount of RSD 47.577.220,00 (forty-seven million five hundred seventy-seven thousand and two hundred twenty)

**IV** Market participants from paragraph I of the wording of this decision **HAVE BEEN ORDERED** to execute payment of the monetary amount for the purpose of competition protection measure from paragraph III of the wording of this decision to the account of the Budget of the Republic of Serbia number 840 743224 843 94, model 97 - with payment reference number: double digit control number per model 97 - three-digit code of the municipality, city or territory - number of this decision.

**V DEADLINE SHALL BE SET** of 9 (nine) months from the date of receipt of this decision for the execution of order from paragraph IV of the wording of this decision under threat of enforcement implemented by Tax Administration in line with regulations prescribing tax collection.

**VI** Market participants from paragraph I of the wording of this decision **HAVE BEEN ORDERED** to, immediately, and within 3 (five) days from the date of execution of order from paragraph IV of the wording of this decision at the latest, to provide evidence on payment executed to the Commission for Protection of Competition.

**VII** Market participants from paragraph I of the wording of this decision **HAVE BEEN PROHIBITED** to act, in the future, in any way that might, limit, distort or prevent competition in a manner described in paragraph I of the wording of this decision.

**VIII THE REQUEST** of STRAUSS ADRIATIC DOO ŠIMANOVCI with registered seat at: Miloša Obilića 41, Šimanovci, for termination of procedure initiated by conclusion of the President of the Commission for Protection of Competition number 4/0-01-644/2021-1 from September 14, 2021, amended by conclusion number 4/0-01-644/2021-30 from December 21, 2021, **HAS BEEN DISMISSED** in part related to STRAUSS ADRIATIC DOO ŠIMANOVCI.

**IX** This decision shall be published in the “Official Gazette of the Republic of Serbia” and the webpage of the Commission for Protection of Competition.

**PRESIDENT OF THE COMMISSION**

Nebojša Perić